

**299.190 Investigation and action against company failing to pay loss -- Court to close business and appoint receiver.**

When the commissioner has given the notice required by KRS 299.180, he or she shall proceed without delay to investigate the condition of the company, and shall have full power, in person or by deputy, to examine its books, papers and accounts, and to examine, under oath, its officers, agents, clerks and policyholders, and other persons having knowledge of its business. If it appears to the commissioner that the liabilities of the company exceed its resources, and that it cannot within a reasonable time, not more than three (3) months from the date of the original default, pay its accrued indebtedness in full, the commissioner shall report the facts to the Attorney General, who shall, upon the commissioner's report, apply to the Judge of the Franklin Circuit Court, or to the Judge of the Circuit Court of the county in which the company is located, for an order closing the business of the company and appointing a receiver for the distribution of its assets among creditors. No such final order shall be made until the company has had ten (10) days' notice of the application and an opportunity to be heard. Upon hearing the matter, the court may make any order that the interests of the company and the public require.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 886, effective July 15, 2010. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 677.